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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD C. HENNING Case No. 4:15-cv-04596-KAW

Plaintiff.

VS.

**CFEP PRUNEYARD LLC, a Delaware**

## Limited Liability Company; LE

BOULANGER, INC., a California

corporation, d/b/a BOULANGER; and DOES

1-10 inclusive.

## Defendants.

Case No. 4:15-cv-04596-KAW

**STIPULATION AND [PROPOSED]  
ORDER DISMISSING ACTION  
WITH PREJUDICE AGAINST  
DEFENDANT CFEP PRUNEYARD  
LLC; AND RESERVATION OF  
RIGHTS AGAINST CO-  
DEFENDANT LE BOULANGER,  
INC.**

## STIPULATION

Plaintiff RICHARD C. HENNING (“Plaintiff”) and Defendant CFEP PRUNEYARD, LLC, a Delaware limited liability company (“Defendant”), by and through their respective attorneys of record, stipulate as follows:

1. Plaintiff's complaint in the above entitled action shall be dismissed with prejudice against Defendant.
2. The Court will retain jurisdiction to enforce the terms of the parties' CONSENT DECREE (Dkt. 38).
3. The parties shall bear their own attorney fees and costs in this action.
4. Plaintiff and Defendant LE BOULANGER, INC. have reached a preliminary

1 settlement but have not yet signed a settlement agreement. Plaintiff reserves his rights  
2 against Co-Defendant LE BOULANGER, INC.

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4 Dated: September 30, 2016

/s/ Irakli Karbelashvili

5 Irakli Karbelashvili, Attorney for Plaintiff  
6 Richard C. Henning

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8 Dated: September 30, 2016

/s/ Edward Garcia

9 Edward Garcia, Attorney for Defendant  
10 CFEP Pruneyard, LLC

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13 **FILER'S ATTESTATION**

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I hereby attest that I, Irakli Karbelashvili, received the concurrence of Defendant's  
counsel in filing of this document.

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/s/ Irakli Karbelashvili

Irakli Karbelashvili

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1 **[PROPOSED] ORDER**  
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3 Having reviewed the above stipulation for dismissal by Plaintiff RICHARD C.  
4 HENNING on the one hand and Defendant CFEP PRUNYEARD, LLC, on the other hand, IT IS  
5 HEREBY ORDERED that:

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1. This action shall be dismissed with prejudice against Defendant CFEP PRUNYEARD, LLC only.
2. The Court will retain jurisdiction to enforce the terms of the parties' CONSENT DECREE (Dkt. 38).
3. The parties shall bear their own attorney fees and costs in this action.
4. Plaintiff reserves his rights against Co-Defendant LE BOULANGER, INC.

Dated: 10/6/16

  
United States Magistrate Judge